

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

OMM, INC.,
Plaintiff,

CIVIL NO. 03-2367(DRD)

v.

READY MIX CONCRETE, INC.,
Defendant

JUDGMENT BY STIPULATION

Plaintiff and Defendants have filed a joint motion requesting the dismissal with prejudice of the instant claim pursuant to Fed.R.Civ.P. 41(a)(1)(ii), and 41(c) (Docket No. 84). They inform the Court that they have reached a settlement which resolves all claims between them. As a result, they have executed a confidential settlement agreement and mutual release of the claims (Docket No. 86) which they have submitted to the Court for its approval (Docket No. 85).

Accordingly, the Court hereby **DISMISSES WITH PREJUDICE** all claims against the defendants, and **APPROVES** the terms and conditions as set forth by the parties in their *Settlement Agreement and Mutual Release of Claims*.

Finally, the Court shall retain jurisdiction for compliance purposes.

IT IS SO ORDERED, ADJUDGED, AND DECREED.

Date: September 26, 2005.

S/ Daniel R. Domínguez
DANIEL R. DOMINGUEZ
U.S. District Judge